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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,858	03/01/2002	Paul D. Crunk		1263

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EXAMINER

A, MINH D

ART UNIT	PAPER NUMBER
2821	

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# **Notice of Non-Compliant Amendment (37 CFR 1.121)**

Application No.

10/085,858

Examiner

Minh D. A

Applicant(s)

CRUNK, PAUL D.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 24 September 2004 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 4. Amendments to the claims:
  - ☒ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim language in claims 1-7 is confusing in that it fails to clearly identify the subject matter regarded as invention. The format of the claim language fails to comply with the requirement of § 608.01(m) of the MPEP, since they have not been presented as a single sentence format. Applicant's attention is directed to claim 1 as an example. As presented, this claim does not clearly identify the preamble nor does it clearly set forth the body of the claim that clearly describes the subject matter which applicant regards as the invention. Lacking these critical features renders claims 1-7 vague and indefinite since it would be impossible to clearly pin point applicant's claim subject matter.

In addition, the language such as "A reflect-reflector baffle or reflect-reflector" found in line 1 of all claims presents an alternative form that renders identifying applicant's claimed structure impossible. The language "in any shape form or design" found in line 1, claim 1 is not acceptable since it is vague and indefinite. The language "the a light bulb lamp or LED lamp under the front lens, or can be part of the front lens or attached in anyway to the front lens can include a combination of the both being part

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of the underside of the front lens" also found in lines 1-7, claim 2 is not acceptable, because these limitations are unclearly identify which one is related to the bulb lamp or LED.

Claim 3, the phrase "PCB board from shifting horizontal or vertical fastened to the inside of the lamp" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention or how to shift horizontal or vertical fastened to the inside of the lamp. See MPEP § 2173.05(d).

Regarding claim 7, the phrase "the light generating source inside the lamp out of the lamp" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

### ***Claim Objections***

3. Claims 1,2, 4-7 are objected to because of the following informalities:

Regarding claim 1, line 2, should "the lamp" be deleted and insert -- a lamp--.

Regarding claim 2, line 2, should "the a light" be deleted and insert -- a light --, on line 5, should "the illumination" be deleted and insert -- an illumination --, on line 6, should "at the" be deleted and insert -- at a --.

Regarding claims 4-5, should "Dependant or Dependent on claim 2 a reflect reflector baffle" be deleted and insert ---The reflect reflector baffle according to claim 2--

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Regarding claims 6-7, should "Dependent or dependent on claim 1 a reflect reflector baffle" be deleted and insert ---The reflect reflector baffle according to claim 2--

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Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

5. Claims 1-7 are rejected with the best understood under 35 U.S.C. 102(e) as being unpatentable by Satsukawa et al (US 6,406,171).

Regarding claims 1 and 7, Satsukawa discloses the reflect- reflector (14) in any shape form or design placed inside the lamp(10) under of the lens (16) to reflect interior and exterior light out of the lamp to be seen by other motor vehicle drivers. See figures 1-3, col.3, lines 61-67 and col.4, lines 1-43.

Regarding claim 2, Satsukawa discloses the reflect-reflector placed inside

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a light bulb lamp (10) under the front lens (16), or can be part of the front lens (16) or attached in any way to the front lens, or can include a combination of both being part of the underside of the front lens and placed under the lens, which aids in the illumination of the lighting element or elements (14) to reflect all light being generated inside of the lamp (10) or any exterior light outside of the lamp aimed at the lamp to be reflected out of the lamp be seen by the human eye. See figures 1-3, col.3, lines 61-67 and col.4, lines 1-43.

Regarding claims 3 and 4, Satsukawa discloses the reflector (14) placed inside a lamp (10) to help keep one or more PCB boards from shifting horizontal or vertical fastened to the inside of the lamp (10). See figures 1-3, col.3, lines 61-67 and col.4, lines 1-43.

Regarding claim 5, Satsukawa discloses the reflector which facilitate in lighting up the entire interior of the lamp, which would allow the human eye to see a much fuller look of light filling the lamp interior lighting surface areas and lens area making the lamp look like it is glowing inside leaving no dark areas to be seen. See figures 1-3.

Regarding claim 6, Satsukawa discloses the reflector (14), which can fill a portion of a single light bulb reflector area, which then would captures the headlight light being sent to the reflect-reflector (14) and return that light back to the human eye of the driver of that motor vehicle where it can be seen. See figures 1-3, col.3, lines 61-67 and col.4, lines 1-43.

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**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Noren. (US 4,047,020) and Green. (US 4,241,388) are cited to show the baffle inside the discharge lamp.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 –2:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1553.

Examiner

Minh A

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7/24/04

*Shih-Chao Chen*  
**SHIH-CHAO CHEN**  
**PRIMARY EXAMINER**